



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

January 2, 2014

ARLENE R. MILLER  
Deputy Commissioner

Stony Point Zoning Board of Appeals  
74 East Main Street  
Stony Point, NY 10980

**Tax Data:** 20.07-3-69

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

**Map Date:** 11/5/1966

**Date Review Received:** 12/19/2013

**Item:** *YUMMY CHINESE & SUSHI, INC. (SP-806)*

Variations to permit signs for an existing business in the GB zoning district on .56 acres, with greater than permitted square footage and number of signs along the State highway.  
East side of South Liberty Drive, south side of Highview Avenue

**Reason for Referral:**

South Liberty Drive (US Routes 9W/202), Route 210 (CR 106), Cedar Pond Brook

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Disapprove***

1 The Town's zoning standards are reasonable and should be followed. The granting of these variances can set a precedent and encourage nearby commercial uses along the State highway to request similar exemptions. The resulting proliferation of oversized and quantity of signs will have an adverse effect on the safe and efficient flow of traffic along the State highway. If your Board finds there is a pattern of requests for sign variances and that some rationale exists for lessening the Town's standards, we suggest a recommendation be made to the Town Board to revise the sign standards on parcels that front high-volume traffic corridors.

Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Supervisor Geoffrey Finn, Stony Point  
New York State Department of Transportation  
Rockland County Department of Highways  
Rockland County Drainage Agency

**YUMMY CHINESE & SUSHI, INC. (SP-806)**

Rockland County Planning Board Members

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

*The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

*In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.*

*Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.*